PATENT Attorney Docket No. 00942-04

, N THE UNITED STATES PATENT AND TRADEMARK OFFICE

 Applicant:
 John C. Herr, et al.
 Customer No.
 34444

 Serial No.
 10/577,983
 Art Unit:
 1651

Filing Date: May 2, 2006 Examiner: Allison M. Ford

Title: Glans Compatible Semen Collection and Storage Device, Kit and Related

Methods of Use

Certificate of Mailing Under 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service using First Class Service under 37 C.F.R. §1.8 on the date indicated below and is addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: April 27, 2007
Sue Ann Carr

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)(3)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an Information Disclosure Statement for the above identified application, consisting of Form PTO/SB/08A referencing 14 US patents and two US publications, Form PTO/SB/08B, and copies of five (5) references. The Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits per 37 C.F.R. §1.97(b)(3).

Applicants respectfully submit that the filing of this Information Disclosure Statement is not a representation that a prior art search was conducted or that the information cited is material to the patentability of the invention as defined in 37 CFR §1.56, or that any cited document is prior art. Applicants request that the Examiner consider the references, determine their relevance to the present application, if any, and list the references on the face of any patent which may issue from the present application. Applicants further request that an initialed copy of Forms PTO/SB/08A and PTO/SB/08B be returned to applicants.

No fees are believed to be due for this submission. If this belief is in error, the Commissioner is hereby authorized to charge any fees due for this submission to Deposit Account No. 50-0423, as well as credit any refunds.

Respectfully submitted,

April 27, 2007

Robert J. Decker Registration No. 44,056

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known			
Application Number	10/577,983		
Filing Date	05/02/2006		
First Named Inventor	John C. Herr		
Art Unit	1651		
Examiner Name	Allison M. Ford		
Attorney Docket Number	00942-04	フ	

Examiner Cite Document Number		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Number-Kind Code ^{2 (f known)}			Figures Appear
/M.H./	1_	^{us-} 3401696	9/17/1968	O'Brien	throughout
	2	^{us-} 4690678	09/01/1987	Douglass-Hamilton	throughout
	3	^{US-} 5055411	10/08/1991	Ericsson	throughout
	4	^{US-} 5068089	11/26/1991	Ericsson	throughout
	5	^{US-} 5244453	09/14/1993	Osbon	throughout
	6	^{US-} 5501650	03/26/1996	Gellert	throughout
	7	^{US-} 5569225	10/29/1996	Fleury	throughout
	8	^{US-} 5605803	2/25/1997	Herr	throughout
	9	^{us-} 5961503	10/05/1999	Simmet	throughout
	10	^{us-} 6113532	09/05/2000	Yap	throughout
	11	^{US-} 6149580	11/21/2000	Dabney	throughout
	12	^{us-} 6493884	12/17/2002	Muller	throughout
	13	us- 6699226	03/02/2004	Velazquez	throughout
	14	^{US-} 6864046	03/08/2005	Prien	throughout
ΔL	15	^{us-} 20010044087	11/22/2001	Kontos	throughout
V	16	^{US-} 20030148365	08/07/2003	Morgan	throughout
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	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ (Number ⁴ Kind Code ⁹ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁰	

Signature		Considered	
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This collection of information is required by 3T CFR. 187 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO to process) an application. Condentality is operanted by 38 U.S.C. 122 and 3T CFR 1.14. This collection is estimated to lake 2 bours b complete; including gathering, preparing, and submitting the completed application form to the USFTO. Time will vary depending upon the individual case. Any comments on the amount of film you require to complete this form andor's suggestions for reducing this budges, should be sent to the Chief Information Cifecr. U.S. Patient and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patients, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

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				Application Number	10/577,983
INFO	RMATION DI	SCLO	SURE	Filing Date	05/02/2006
STAT	EMENT BY A	APPLI	CANT	First Named Inventor	John C. Herr
				Art Unit	1651
	(Use as many sheets as	necessary)	Examiner Name	Allison M. Ford
Sheet	1	of	1	Attomey Docket Number	00942-04

Examiner					
Examiner Initials* Cite		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or outnity where publisher			
/M.H./	А	Mamnar, J.L., Praiss, D.E. and Debenedictis, T.J., "Statistical Comparison of the Parameters of Semen Analysis of Whole Semen Versus the Fractions of the Split Ejaculate," Fertility & Sterility, 30(4):439-443, 1978 Oct.			
	В	Adoni, A. and Palti, Z., "Better Postcoital Test for Oligospermic Patients Using Split Ejaculate Artificial Insemination," Fertility & Sterility, 31(5):587-588, 1979 May.			
	С	Propping, D., Katzorke, T. and Tauber, P.F., "Further Evaluation of the Split Ejaculate for Artificial Insemination," European J. of Obstetrics, Gynecology & Reproductive Biology, 11(6):385-394, 1981 May.			
	D	Schill, W.B. and Littich, M., "Split Ejaculate Insemination With and Without the Addition of Kallikrein," Andrologia, 13(2):121-126, 1981 Mar-Apr.			
\bigvee	Е	Sokol, R.Z., Madding, C.I., Handelsman, D.J. and Swerdloff, R.S., "The Split Ejaculate: Assessment of Fertility Potential Using Two in Vitro Test Systems," Andrologia, 18(4):380-386, 1986 July-Aug.			

Examiner /Melanie Hand/	Date Considered	12/11/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CPR. 1.97 and 1.97 information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 Usin. C. 122 and 37 CPR. 1.14. This collection is estimated to lake 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Patent Office, U.S. P ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.